



1274/62620/PJP

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **MAGNETIC RESONANCE SPECTROSCOPY TO IDENTIFY AND CLASSIFY MICROORGANISMS**

the specification of which  
(check one)

is attached hereto.

was filed on February 21, 2002 as

Application Serial No. 10/081,838

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above:

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s)

#### Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sections 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/270,367	02/21/2001	Pending on 2/21/02, now abandoned

And I hereby appoint

Christopher C. Dunham (Reg. No. 22,031); Ivan S. Kavrukov (Reg. No. 25, 161); Norman H. Zivin (Reg. No. 25, 385); John P. White (Reg. No. 28,768); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Alan J. Morrison (Reg. No. 37,399); Alan D. Miller (Reg. No. 42,889) and Frank Bruno (Reg. No. 46,583).

and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036 (Tel. 212 278-0400), my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Peter J. Phillips  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, N.Y. 10036  
Tel. (212) 278-0400

Reg. No. 29,691

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Declaration and Power of Attorney

Page 3

Full name of sole or

first joint inventor Tania C. Sorrell

Inventor's signature T. Sorrell

Citizenship Australian

Date of signature 1<sup>st</sup> May 20

Residence 27 Kooyong Road Riverview, NSW 2066 Australia

Post Office Address same as above

Full name of sole or

first joint inventor Carolyn E. Mountford, Ph.D.

Inventor's signature Carolyn Mountford

Citizenship Australian

Date of signature 2/5/02

Residence 12 Bronhill Avenue East Ryde, NSW 2113 Australia

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Full name of sole or

first joint inventor Uwe Himmelreich

Inventor's signature Uwe Himmelreich

Citizenship German

Date of signature 1<sup>st</sup> May 200

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Post Office Address same as above

Full name of sole or

first joint inventor Roger Bourne

Inventor's signature Roger Bourne

Citizenship Australian

Date of signature 7-5-0

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Post Office Address same as above

Full name of sole or

first joint inventor Rajmund L. Somorjai

Inventor's signature

Citizenship Canadian

Date of signature

Residence 146 Grange Street Headingly Manitoba Canada ROH OJO

Post Office Address same as above



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Full name of sole or  
first joint inventor Tania C. Sorrell

Inventor's signature \_\_\_\_\_

Citizenship Australian Date of signature \_\_\_\_\_

Residence 27 Kooyong Road Riverview, NSW 2066 Australia

Post Office Address same as above

Full name of sole or  
first joint inventor Carolyn E. Mountford, Ph.D.

Inventor's signature \_\_\_\_\_

Citizenship Australian Date of signature \_\_\_\_\_

Residence 12 Bronhill Avenue East Ryde, NSW 2113 Australia

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Full name of sole or  
first joint inventor Uwe Himmelreich

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Full name of sole or  
first joint inventor Roger Bourne

Inventor's signature \_\_\_\_\_

Citizenship Australian Date of signature \_\_\_\_\_

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Full name of sole or  
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Inventor's signature R. L. Somorjai

Citizenship Canadian Date of signature 17/4/2000

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